

Message

From: Thiede, Kurt [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=3CC09FAC5ACC4CE1BA689FB2CE70D459-THIEDE, KUR]
Sent: 2/19/2019 4:26:29 PM
To: Kelley, Jeff [kelley.jeff@epa.gov]
Subject: FW: PolyMet Q&A
Attachments: polymet Q A Matt Leopolddmm(combined) 2.13.19_5pm.docx; ATT00001.htm

Wondering if we wanted to work this into our response to the reporter.

From: Leopold, Matt (OGC)
Sent: Thursday, February 14, 2019 5:53 AM
To: Stepp, Cathy <stepp.cathy@epa.gov>
Cc: Jackson, Ryan <jackson.ryan@epa.gov>; Konkus, John <konkus.john@epa.gov>; Thiede, Kurt <thiede.kurt@epa.gov>
Subject: Fwd: PolyMet Q&A

Cathy, here is the write up from the legal team. Let me know if you need anything else.

Sent from my iPhone

Begin forwarded message:

From: "Cozad, David" <Cozad.David@epa.gov>
Date: February 13, 2019 at 7:14:51 PM EST
To: "Leopold, Matt (OGC)" <Leopold.Matt@epa.gov>, "Fotouhi, David" <Fotouhi.David@epa.gov>
Cc: "Nelson, Leverett" <nelson.leverett@epa.gov>
Subject: Fwd: PolyMet Q&A

Matt and David,

Attached is a short paper analyzing the CWA legal issues raised in the IG complaint. WLO worked with R5 staff on this. Rett and I have reviewed and concur on the conclusions, which in essence is that EPA did nothing contrary to the law in its handling of this permit review.

Policy and comms folks now have the legal analysis to inform what they may want to say about the allegations.

The FOIA issue remains. The region has several FOIAs now on this matter, at least one of which requests many more documents than the one document GLO and R5 were discussing.

Let me know if you want to discuss or would like us to do something further.

Dave

Sent from my iPhone

Begin forwarded message:

From: "Curtin, James" <curtin.james@epa.gov>
Date: February 13, 2019 at 5:38:54 PM EST

To: "Cozad, David" <Cozad.David@epa.gov>

Cc: "Neugeboren, Steven" <Neugeboren.Steven@epa.gov>, "Schroer, Lee" <schroer.lee@epa.gov>, "Wehling, Carrie" <Wehling.Carrie@epa.gov>, "Messier, Dawn" <Messier.Dawn@epa.gov>

Subject: PolyMet Q&A

Dave,

Here's the final WLO PolyMet Q&A for Matt.

Jim

Jim Curtin
USEPA Office of General Counsel
Water Law Office
202-564-5482
William Jefferson Clinton North Rm. 7451